

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DAVID A. GAMBINO,	:	
	:	
Plaintiff,	:	Civil Action No. 17-830 (NLH)
	:	
v.	:	MEMORANDUM AND ORDER
	:	
ASHA CASSANO, et al.,	:	
	:	
Defendants.	:	

It appearing that:

1. Plaintiff has filed pro se an Amended Complaint, which consists of 45 defendants, is 95 pages long, and asserts claims pursuant to Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971), the Federal Tort Claims Act, and the Americans with Disabilities Act. ECF No. 1.

2. After the filing of the Amended Complaint, the Court appointed counsel to represent Plaintiff. ECF No. 102.

3. Defendants have filed a partial Motion to Dismiss some of the claims in the Amended Complaint. ECF No. 120.

4. In opposition to the Motion, Counsel for Plaintiff has filed a letter response, requesting leave to file a second amended complaint to streamline the allegations, claims, and defendants. ECF No. 124.

5. Leave to amend a complaint pursuant to Federal Rule of Civil Procedure 15 after a responsive pleading has been filed is

authorized with leave of court, of which such leave shall be freely given when justice so requires. See Fed. R. Civ. P. 15(a)(2).

6. Defendants have not opposed Plaintiff's request, and the Court finds that it is in the interests of justice to permit amendment at this time in order to streamline the issues and claims in this litigation. The Court will thus grant Plaintiff leave to file one, all-inclusive, amended complaint.

IT IS THEREFORE on this 11th day of October, 2019,
ORDERED that Plaintiff's letter request to file a second amended complaint, ECF No. 124, is GRANTED; and it is further

ORDERED that Plaintiff is granted leave to file one, all-inclusive amended complaint; and it is further

ORDERED that Plaintiff shall have thirty (30) days from the date of this Order to file an amended complaint; and it is further

ORDERED that the Motion to Dismiss, ECF No. 120, is DISMISSED WITHOUT PREJUDICE; and it is finally

ORDERED that the Clerk of the Court shall serve Plaintiff with copies of this Order via regular mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.